






-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2016-0072  
 LOCATION: 6100 Nasco Drive



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 168'

Special Exception 7/11



## CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

K1  
2

### Board of Adjustment General/Parking Variance Application

**WARNING:** Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

#### For Office Use Only

Case # C15-2016-0072 ROW # 11549019 Tax # 0233010816  
CAD

C15-2016-0072

#### Section 1: Applicant Statement

Street Address: 6100 NASCO DR

Subdivision Legal Description:

411andale Section 4

Lot(s): 42

Block(s):

Outlot:

Division:

Zoning District: SF2

I/We MARTIN BUTLER on behalf of myself/ourselves as  
authorized agent for Self affirm that on

Month Select 21 Day Select April, Year Select 2016, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other:

Type of Structure: special exception for shed in side yard more than 10 years

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

492(D) side setback, 5'

121  
3

## Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

Special Exception

### Hardship

a) The hardship for which the variance is requested is unique to the property in that:

Special Exception

b) The hardship is not general to the area in which the property is located because:

Special Exception

### Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Special Exception

12/4

**Parking (additional criteria for parking variances only)**

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

NA

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

NA

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

NA

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

**Section 3: Applicant Certificate**



I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: Martin Butler

Date: \_\_\_\_\_

Applicant Name (typed or printed): MARTIN BUTLER

Applicant Mailing Address:

City:

AUSTIN

State:

TX

Zip:

78757

Phone (will be public information):

512 632 2862

Email (optional – will be public information):

marty@thebutterbros.com

#### Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:

McBroom

Date:

Owner Name (typed or printed):

Owner Mailing Address:

(SAME)

City:

State:

Zip:

Phone (will be public information):

Email (optional – will be public information):

#### Section 5: Agent Information

Agent Name:

Agent Mailing Address:

City:

State:

Zip:

Phone (will be public information):

Email (optional – will be public information):

#### Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

25-2-476 SPECIAL EXCEPTIONS.

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

(1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;

(2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and

(3) the Board finds that:

(a) the violation has existed for:

(i) at least 25 years; or

(ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016; ~~2017~~

(b) the use is a permitted use or a nonconforming use;

(c) the structure does not share a lot with more than one other primary residence; and

(d) granting a special exception would not:

(i) alter the character of the area;

(ii) impair the use of adjacent property that is developed in compliance with city code;

or

(iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.

(C) A special exception granted under this section:

(1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;

(2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and

(3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.

(D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.



## SPECIAL EXCEPTION INSPECTION



K/7

Address:	6100 Nasco Dr.
Permit Number:	2016-053405
Property Owner Requesting Special Exception:	Martin Butler

### Special Exception Requested:

Shed located in back yard is encroaching into side yard setback

Date Structure was originally constructed: confirmed to exist in 1997

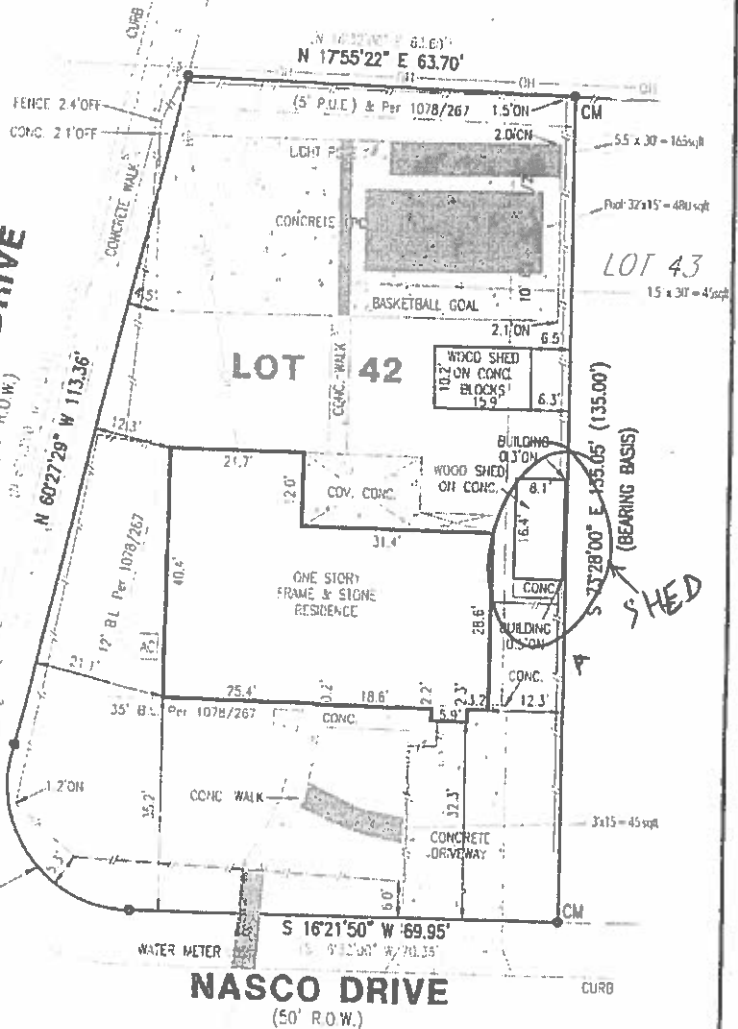
Date of Inspection:	6-6-2016
Building Official or designated representative	Tony Hernandez
<b>X</b>	The granting of the variances requested will <u>Not</u> result in any hazard to the life, health or public safety for either the property for which the variance is requested or to an adjoining public or private property
	The granting of the variances request will result in a hazard to the life, health or public safety of the either the property for which the variance is requested or to an adjoining public or private property. The following hazards related to the variance request were noted in this inspection:  1.

LOT 1  
ALLANDALE OAKS,  
BOOK 5, PAGE 175

21  
8

- LEGEND**
- 1/2" MEDIAN FOUND
  - 1/2" CAPPED REBAR SET
  - 1/2" REIN. PIPE FOUND
  - 800 HALL FOUND
  - 800 HALL SET
  - CAPPED REBAR FOUND
  - 7" SET IN CONCRETE
  - 7" FOUND IN CONCRETE
  - SPINDLE FOUND
  - PUNCH HOLE FOUND
  - CHAIN LINK FENCE
  - WOOD FENCE
  - METAL FENCE
  - BUILDING LINE
  - PUBLIC UTILITY EASEMENT
  - DRAINAGE EASEMENT
  - PER PLAT
  - CONTROL MONUMENT
  - RIGHT OF WAY
  - PLACE OF BEGINNING
  - OVERHEAD ELECTRIC
  - POWER POLE
  - AIR CONDITIONER

WHITE ROCK DRIVE  
(50' R.O.W.)



**IMPERVIOUS COVERAGE**

a. House	1791	sq. ft.
b. Wood Shed on Concrete	133	sq. ft.
c. Wood Shed on Concrete Blocks	182	sq. ft.
d. Concrete Driveway & Walks	811	sq. ft.
e. Covered Concrete	269	sq. ft.
f. Concrete Sports Court & Walk & Open Conc.	1998	sq. ft.
g. AC	12	sq. ft.
IMPERVIOUS COVERAGE (a through g added)		5174 sq. ft.

LOT AREA	10878	sq. ft.
TOTAL IMPERVIOUS COVERAGE	48.5	% of lot

NASCO DRIVE  
(50' R.O.W.)

771 = 35 sq ft



Amended numbers after pool:  
We removed 771 SQFT of concrete  
5174 - 771 = 4403 or 41%



**IMPORTANT NOTICE**

This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & G SURVEYING.

**FLOOD CERTIFICATION**

THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP # 130114, DATED 07/18/00. IT IS REPRESENTED AS IN ZONE "C" HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAO MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED SAO MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAN ADMINISTRATOR.

STREET ADDRESS: 6100 NASCO DRIVE CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS  
LOT: 42 BLOCK: SHERIDAN: ALLANDALE, SECTION FOUR VOL/TAM: 5 PG/SLD: 113 PLAT FLOODED:  
REFERENCE NAME: MARTY & SUSANVA BUTLER



**B & G SURVEYING, LLC**  
FPU REGISTRATION NO. 100343-00

WWW.BANDGSURVEY.COM  
1404 West North Loop Blvd  
Austin, Texas 78756  
Office 512-458-6967, Fax 512-458-9845

JOB # B0919315\_TA  
DATE 09/29/15  
SCALE: 1" = 20'

FIELD WORK BY	WJN	07/28/15
CHECKED BY	WJN	09/29/15
DRAWN BY	WJN	09/29/15
CHECKED BY	WJN	09/29/15



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

9/21

10/11

Legend

- Lot Lines
- Streets
- Building Footprints
- Named Creeks
- Lakes and Rivers
- Parks
- County



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